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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,509	10/17/2001	David Thompson	BRDC:036	7211

7590

09/23/2004

H. Dale Langley, Jr.  
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EXAMINER

TORRES, MARCOS L

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## DETAILED ACTION

### *Election/Restrictions*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-12, drawn to Wireless communication network, classified in class 455, subclass 552.1.
  - II. Claims 13-26, drawn to Co-processor, classified in class 712, subclass 35.
  - III. Claims 27-41, drawn to Method of communicating different data types, classified in class 455, subclass 445.
  - IV. Claims 42-60, drawn to Communication device with protocol dictionary, classified in class 455, subclass 556.1.
  - V. Claims 61-72, drawn to Communication device with cache file, classified in class 455, subclass 550.1.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I, II, III, IV and V are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because it can be used as communication system. The subcombination II has separate utility such as computer coprocessor. The subcombination III has separate utility such as multimedia

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transfer. The subcombination IV has separate utility such as protocol interpreter. The subcombination V has separate utility such as storage device.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. A telephone call was made to H. Dale Langley Jr. on September 16, 2004 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L Torres whose telephone number is 703-305-1478. The examiner can normally be reached on 8:00am-5:30pm alt. friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William G Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marcos L Torres  
Examiner  
Art Unit 2683

Mlt

  
WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
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